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K<sup>r</sup> Great Brit. - George II

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26 Geo. II. c. 29 -

A N

# A C T

F O R

## Dividing and Inclosing certain Commons, in the Manor of Hexham, in the County of Northumberland.

Whereas there are within the Manor and Parish of Hexham, Hexham East and West Commons, containing 8000 Acres. in the County of Northumberland, Two Moors, Commons, Fells, or Pieces of Waste-ground, called Hexham East-Common and Hexham West-Common, containing together, by Estimation, Eight thousand Acres, or thereabouts, which, at present, yield little Profit; but the same by an Inclosure would become capable of Improvement:

And whereas Sir Walter Blackett Baronet is Lord of the said Manor, Sir Walter Blackett Lord of the Manor. and also Owner of the Improper Tythes of the said Parish:

A

And

And whereas the Commissioners or Governors of the Royal Hospital for Seamen, at Greenwich, or their Trustees, Lessees, Farmers, or Tenants, in respect of, or as appendant, appurtenant, or belonging, to their several Messuages, Lands, and Tenements, at Langhope, Hackford, Bagraw, and for their several Tenements at Coatsly, with the Appurtenances, now or late in the Possessions of David Brown and Elizabeth Nicolson, their Assigns or Under-tenants, in the said County of Northumberland, are intitled to Right of Common in and upon both the said Commons, called Hexham East-Common and Hexham West-Common; and the said Sir Walter Blackett, and several other Persons, have also a Right of Common in or upon the said Commons, or One of them:

And whereas the said Sir Walter Blackett, and other Persons above-mentioned, who have such Right of Common, as aforesaid, are willing and desirous, that the said Commons should be divided and inclosed by Commissioners in that behalf to be appointed; in regard the same will be a manifest Advantage to all the Parties interested therein, and tend to the Improvement of their respective Estates: But as the said Division and Inclosure cannot be effectually completed and established, to answer the Intention of the Parties interested in the same, without the Aid of an Act of Parliament;

*May it please Your MAJESTY,*

That it may be Enacted; And be it Enacted, by the KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the same Two Commons, called Hexham East-Common and Hexham West-Common, lying and being within the Manor of Hexham aforesaid, shall, on or before the First Day of May, which shall be in the Year of our Lord One thousand Seven hundred and Fifty-six, be set out, divided, and allotted, by Edward Collingwood of Claxton, George Shaftoe Delaval of Bavington, William Boutflower of Apperley, Michael Pearson of Newcastle upon Tyne, Esquires; John Ord of Newcastle upon Tyne, Samuel Marriot of Morpeth, Hugh Boag of Ravensworth in the County of Durham, William Robson of Wallington, and John Brown of Whitridge, Gentlemen; Commissioners appointed by this ACT, and their Successors, or any Five or more of them, in the Manner, and subject to the Rules, Orders, and Directions, and for the Purposes, in and by this ACT ordered, directed, and appointed.

And, for the more just and regular Division and Distribution of the said Commons, so to be divided and inclosed, and for the better ascertaining the same, It is hereby Enacted, by the Authority aforesaid, That a Survey shall be made of the said Two Commons, called Hexham East-Common and Hexham West-Common (except such Part of the said Commons as are called or known by the Names or Denominations of Kingshaw-Green, Lambbed-

Lane, the Tyne-Green, and the Miln-Islands), some time before the First Day of May One thousand Seven hundred and Fifty-four; and that in and by the said Survey the said Common, called Hexham East-Common, shall be distinguished from the said Common called Hexham West-Common; and also that, on or before the First Day of May One thousand Seven hundred and Fifty-six, all the said Two Commons (except as before excepted) shall, by the said Commissioners, or any Five or more of them, be set out, marked, and ascertained, by proper Stakes, Meres, or Land-marks; and shall be divided and allotted unto and amongst the said Sir Walter Blackett, and all other Persons having a Right of Common upon the said Two Commons, in the Manner, and pursuant to the Rules, Orders, and Directions, in and by this Act ordered, directed, and appointed.

Exceptions of  
Kingshaw-Green  
and Lambheel;  
the Tyne-Green,  
and the Miln-  
Island.

**And it is hereby further Enacted,** That the said Commissioners, or any Five or more of them, shall and may, and they are hereby authorized and impowered to set out, assign, and allot, unto and for the said Sir Walter Blackett, Lord of the said Manor of Hexham, as a Compensation for his Right and Interest in and to the Soil of the said Commons, and his Consent to the Division and Inclosure of the same, One full Sixteenth Part (Quantity and Quality considered) of the said Commons, in One intire Plot, and contiguous to his Lands or Estate, in the said Parish of Hexham, called Yarridge; over and above, and exclusive of, such Share or Allotment of the said Two Commons as is herein after directed to be allotted to him, in lieu of, and as an Equivalent for, his Right of Common in the said Commons; and shall and may set out, assign, and allot, the Residue and Remainder of the said Two Commons (after such Sixteenth Part thereof, set out and allotted to the Lord of the said Manor, as aforesaid, is thereout deducted), unto and amongst the said Sir Walter Blackett, Lord of the said Manor, and the Commissioners or Governors of Greenwich Hospital, or their Trustees, and the several other Persons having a Right of Common upon the said Two Commons, or either of them; subject to the Rules, Orders, and Directions, in and by this Act ordered, directed, and appointed.

One full 16th  
Part to be allotted  
to the Lord  
of the Manor for  
his Consent; and  
the Residue  
among the said  
Lord, and all  
other Persons  
having Right on  
the said Com-  
mons

**And it is hereby further Enacted,** That the said Commissioners, or any Five or more of them, shall and may, and they are hereby authorized and impowered, by all proper Ways and Means which to them shall seem requisite in that behalf, to inquire into the true and real annual Rent or Value of all and singular the Messuages, Houses, Cottages, Lands, Tenements, and Hereditaments, to which a Right of Common is belonging, either in the Hands of the Owners or Proprietors thereof, or as lett to the Tenants, Under-tenants, or Occupiers, thereof, respectively, upon the said Two Commons, or either of them, as the same were of, for the Year ending the Thirty-first Day of December One thousand Seven hundred and Fifty-two; and that the said Commissioners, or any Five or more of them, shall set out, assign, allot, apportion, and divide, the Residue of the said Two Commons (after deducting and setting apart One Sixteenth Part thereof for the Lord of the said Manor, as aforesaid) to and amongst the said several

Commissioners to  
inquire into the  
true Rent and  
Value of the  
Messuages, Lands,  
&c. as the same  
were lett in 1752.

X upon the said two Commons or either of them as the same were of

several Persons having a Right of Common upon the said Two Commons, or either of them, in the Proportions following; that is to say, As to such Persons as are intitled to Lands only, or to Lands and a House or Houses, usually farmed or occupied therewith as a Farm-house or Farm-houses, then in proportion to the whole real yearly Value or Rent of every such Farm consisting of Land only, or Land and a Farm-house thereto belonging, and constituting One Farm; and as to such Persons as are intitled to a House or Houses, or a Cottage or Cottages only, without any Lands thereto belonging, then in proportion to One Half of the real yearly Value or Rent of such House or Houses, Cottage or Cottages, respectively; and as to such Persons as are intitled both to Land and a House or Houses, Cottage or Cottages, now farmed, held, or occupied, therewith, but which hath been either heretofore held or occupied separately and distinctly from such Land, at separate and distinct Rents, or are or is not taken or deemed to be a Farm-house or Farm-houses, then in proportion to the whole real yearly Value or Rent of such Land, and in proportion to a Moiety of the real yearly Value or Rent of such House or Houses, Cottage or Cottages, respectively, as the same were in the said Year ending the Thirty-first Day of December One thousand Seven hundred and Fifty-two (except as herein after is otherwise provided).

If any 60 Years  
Leases are subsisting,  
then the  
Commissioners to  
inquire into the  
Value thereof;  
and allot, &c.

**Provided always, and be it further Enacted,** by the Authority aforesaid, That where any Leases, for the Term of Sixty Years or upwards from the making thereof, of any Messuages, Houses, Cottages, Lands, Tenements, or Hereditaments, to which a Right of Common is belonging upon the said Two Commons, or either of them, are not yet expired, the said Commissioners, or any Five or more of them, shall and may inquire by all proper Ways and Means into the real annual Value of such Messuages, Houses, Cottages, Lands, and Tenements, for the said Year ending the Thirty-first Day of December One thousand Seven hundred and Fifty-two, and make Assignments and Allotments in respect of the same, according to such real Value, in manner herein before directed.

Commissioners  
not to give un-  
due Preference,  
but to have re-  
gard to Quality  
and Quantity.

**Provided always,** That nothing in this Act contained shall extend, or be construed to extend, to impower the said Commissioners, or any of them, to give any undue Preference to the Parties interested in the said intended Division or Inclosure; but that the said Commissioners shall have a due Regard as well to the Quality as the Quantity of the Lands and Grounds so to be divided and allotted as aforesaid; and shall set out and allot the Lands and Grounds to be allotted to the said Sir Walter Blackett, over and above his said Sixteenth Part, in One intire Plot or Parcel, and contiguous to the Lands and Grounds so to be set out and allotted to him, as and for his said Sixteenth Part; and shall also set out and allot the Share of each other Person, respectively, in One intire Plot or Parcel, and as near to each particular Person's own Lands, Tenements, and Farmholds, respectively, as the same can be conveniently done.

Sir Walter  
Blackett's Share  
to be set off in one  
intire Plot, and  
contiguous to his  
said 16th Part:  
Other Persons  
Shares to be set  
off in intire Plots,  
or as near as pos-  
sible to their  
Lands, &c.

**prohibited also, and it is hereby Declared and Enacted,** That the Commissioners, or any Five or more of them, shall and may ascertain, set out, and appoint, proper publick Highways and Roads in, upon, and through, the said Commons, with the Aſſize and Breadth thereof; and also private Ways, Roads, Paſſages, and Watercourses, in, over, and through, the Lands and Grounds so to be inclosed for the Use and Benefit of the several Proprietors, to and from the Lots and Parcels of Land to be affigned and allotted to them respectively; and order and direct the same publick and private Ways, Roads, and Watercourses, to be made, maintained and kept in Repair, by such Person and Persons, Owners or Occupiers of such Lands so to be divided and inclosed, and by such Ways and Means, as to the said Commissioners, or any Five or more of them, shall seem proper and expedient; and also shall and may, at proper and convenient Places, set out and allot a reasonable Quantity of Ground for Brick-kilns, and Freestone-quarries, to be wrought, as heretofore has been usual, for the Benefit of the Lord of the Manor, and the Persons having Right of Common upon the said Two Commons, or either of them.

**And it is hereby further Enacted,** by the Authority aforesaid, That when the said Lands and Grounds, hereby directed and appointed to be divided, and inclosed, shall be set out, ascertained, and allotted, by the said Commissioners, or any Five or more of them, by such Instrument or Writing, as is herein after-mentioned; the several Persons, to whom the said Lands and Grounds shall be allotted respectively, shall, within Twelve Months after the signing and sealing the said Instrument or Writing, at their own Expences, respectively, inclose, hedge, ditch, fence, and set our, their several Lots, Shares, and Portions, of the same, in such manner as the said Commissioners, or any Five or more of them, shall direct and appoint.

**And,** for preventing all Differences and Disputes relating to the said Division and Inclosure, **It is hereby further Enacted,** by the Authority aforesaid, That immediately after the said Commissioners shall have completed and finished the Division and Allotments of the said Commons, pursuant to the Directions of this Act, they shall form and draw up an Award, or Instrument thereof, in Writing, which shall express, specify, and contain, the Quantity (in Statute-measure) of Acres, Roods, and Perches, contained in the said Lands and Grounds, so intended to be divided and inclosed; and the Quantity of each and every Parcel thereof affigned and allotted to each of the Parties intituled to, and interested in, the same; and a Description of the Situation, Buttals, and Boundaries, of the said Parcels and Allotments respectively; with Orders and Directions for hedging, fencing, and ditching the same, and keeping and maintaining such Hedges, Ditches, and Fences, in Repair; and for making and laying out publick and private Roads, Ways, and Paſſages, in and through the same Premises; and Directions for the making, repairing, and maintaining, the same; and the said Award or Instrument shall also contain such other Orders, Regulations,

Award executed by Commissioners, and inrolled with the Clerk of the Peace, and lodged in the Manor-Court; and a true Copy to be Evidence.

tions, and Determinations, as to the said Commissioners shall seem proper and necessary to be inserted therein, conformable to the Purport and Tenor of this Act; and which said Award or Instrument shall be fairly ingrossed upon Parchment, and signed by the said Commissioners, or any Five or more of them; and shall be inrolled by the Clerk of the Peace for the County of Northumberland; and the Original shall be lodged in the Office of the Manor-Court of Hexham aforesaid, to the end recourse may be had to the same by any Person or Persons interested in the said Inclosure; and a true Copy thereof shall, from time to time, be admitted and allowed, in all Courts whatsoever, as legal Evidence of the same; and which Copy the Clerk of the said Manor-Court, or his Deputy, is hereby required to make, and deliver to any Person or Persons requesting the same; he or they paying for such Copy, after the Rate of Two-pence per Sheet, accounting Seventy-two Words to each Sheet.

After finishing the Division, all Right of Common to cease, and Shares be held as Freeholds.

**And it is hereby further Enacted**, by the Authority aforesaid, That immediately after finishing the said Division and Allotments, and the Execution of the said Award or Instrument, all Right of Common in, over, and upon, the said Two Commons, and also in, over, and upon, the said Kingshaw-Green, and Lambsteel-Lane, shall cease, and be extinguished; and the said Lots and Parcels of Land, so to be assigned and allotted, as aforesaid, shall be held and enjoyed by the Persons, to whom the same shall be so assigned and allotted, respectively, in the same Manner, and by the same Tenure, as the respective Lands, Tenements, or Hereditaments, in Right of or for which the said Lots or Parcels of Land shall be so assigned or allotted, are now holden.

The Parties to accept of their respective Allotments within Six Months after the making of the Award; and on Refusal, to be excluded of any Benefit.

**And whereas** it is requisite, that some convenient Time should be fixed for every Person intitled to any Part of the said intended Inclosure to accept of their respective Allotments and Shares, **Be it therefore Enacted**, by the Authority aforesaid, That all and every Person and Persons so intitled shall, and they are hereby required to accept his, her, and their respective Allotments and Shares, within the Space of Six Months after the Execution of the said Award or Instrument, and Notice, in Writing, affixed on the North Door of the Parish-Church of Hexham aforesaid, for that Purpose: And in case any Person shall neglect or refuse to accept his or her Share or Allotment within the time afore-mentioned, such Person, so neglecting or refusing, shall be totally excluded from having or receiving any Benefit or Advantage by this present Act; and also from any Estate, Interest, or Right of Common whatsoever, of, in, or to, the Lands or Grounds so assigned or allotted to any other Person or Persons, by virtue of or under this Act.

Guardians, &c. of Minors, &c. impowered to accept of their Allotments.

**Provided also, and it is hereby further Enacted and Declared**, That the Guardians, Husbands, Trustees, Committees, or Attorneys, of any Person or Persons, being Minors, under Coverture, beyond the Seas, or otherwise incapable by Law to accept such Allotments, so to be made, as aforesaid,

foresaid, shall be, and are hereby, enabled and required to accept thereof, for the Use of such Person or Persons so incapacitated, as aforesaid; and also that any such Person or Persons intitled to such Allotment in Remainder, or Expectancy upon any precedent particular Estate, upon Neglect or Refusal of any Tenant in Possession, or any Person intitled to such precedent particular Estate, shall be, and is and are respectively hereby, enabled to accept of such Allotment in lieu and stead of any such Tenant, or Person so intitled, and neglecting or refusing: And every such Acceptance respectively shall be, and is hereby declared to be, as valid and effectual, as if the Person or Persons, to whom the same shall be made, respectively, were capable of acting for themselves, or had not refused or neglected, as aforesaid; any thing herein contained to the contrary notwithstanding.

**Provided always,** That the Non-claim, or Non-acceptance, of any Guardians, &c.  
refusing to accept, not to exclude  
Infants, Feme-Covets,  
&c. Guardian, Husband, Trustee, Committee, or Attorney, shall not exclude, or prejudice the Claim or Acceptance of any Infant, Feme-Covert, or any Feme-Covets,  
&c. other Person under such Disability or Incapacity, as aforesaid, who shall claim or accept within One Year after such Disability or Incapacity removed; or of any Person or Persons intitled as Heir, or in Remainder, after the Death of any Person dying under such Disability or Incapacity, who shall claim or accept within One Year after his, her, or their Right, Title, or Interest, shall have descended, vested, or accrued.

**Provided always,** That nothing in this Act contained shall extend, or Not to revoke  
Deeds, Wills, or  
Leases, or pre-  
judice any Clause  
of Dower, Debts,  
&c. be construed, deemed, adjudged, or taken, to revoke, make void, alter, or annul, any Settlement, Deed, Will, or Lease, whatsoever; or to prejudice any Person or Persons having any Right or Claim of Dower, Jointure, Rent, Service, Debt, Charge, or Incumbrance, in, out of, upon, or affecting, any of the Lands and Grounds so intended to be divided and inclosed, or any Part or Parcel thereof; but that the several Lands and Grounds, so to be assigned and allotted, upon the said Division, to the several Proprietors respectively, shall, immediately after such Allotment, be, remain, and enure, and be held and enjoyed, and the several Persons to whom the same shall be assigned and allotted, shall from thenceforth stand and be seised and possessed thereof respectively, subject and liable to such and the same Wills, Limitations, Conditions, Settlements, Provisoes, Remainders, Reversions, Leases, Debts, Charges, and Incumbrances, as the several Messuages, Houses, Cottages, Lands, and Grounds, in respect whereof such Allotments were made to them respectively, were and stood severally subject and liable unto at the Time of such Assignment and Allotment.

**Provided also, and it is hereby further Enacted,** by the Authority Not to prejudices  
or lessen the  
Right and Inter-  
est of the Lord of  
>the Manor, as to  
the Royalties. aforesaid, That nothing in this Act contained shall prejudice, lessen, or defeat, the Right, Title, or Interest, of him the said Sir *Walter Blackett*, of in, or to, the Seignories and Royalties incident and belonging to the Manor of *Hexham* aforesaid; but that he the said Sir *Walter Blackett*, and all and

and every Person and Persons claiming under him, or in Trust for him, as Lord of the said Manor, and all other succeeding Lords of the said Manor, for the Time being, shall and may, at all times for ever hereafter, hold and enjoy all Rents, Services, Courts, Perquisities and Profits of Cours, Mines, Goods and Chattels of Felons and Fugitives, Felons of themselves, and put in Exigent, Deodands, Waifs, Estrays, Forfeitures, and all other Royalties, Jurisdictions, and Pre-eminentes whatsoever, to the said Manor, incident, appendant, belonging, or appertaining (other than and except such Common Right as could or might be claimed by him or them respectively, as Lord or Lords of the said Manor, or otherwise, in and upon the said Two Commons, so to be inclosed, as aforesaid), in as full, ample, and beneficial manner, to all Intents and Purposes, as he or they could or might have held and enjoyed the same, in case this Act had not been made.

The Lord to  
make Satisfac-  
tion, in case he  
works Mines un-  
der any of the  
Allotments.

**Provided also, and it is hereby further Declared and Enacted,** by the Authority aforesaid, That in case the Lord or Lords of the said Manor, or any Person or Persons claiming under him or them, shall, after such Inclosure made, as aforesaid, work any Mine or Mines, lying within or under any of the Allotments so to be made, as aforesaid; then, and in such case, such Person or Persons, so working the same, shall make reasonable Satisfaction for the Damage and Spoil of Ground occasioned thereby, to the Person or Persons who shall be in Possession of such Ground at the time of such Damage and Spoil.

Sir Walter  
Blackett, as the  
Impropriator of  
the Tythes of  
Corn and Hay,  
shall not receive  
any Tythes for  
12 Years from the  
Signing of the  
Award.

**Provided also, and it is hereby further Enacted,** by the Authority aforesaid, That neither he the said Sir *Walter Blackett*, nor any other Person or Persons whatsoever, as Impropriator or Proprietors of the Tythes of the said Parish of *Hexham*, shall have or receive the Tythes of any Corn or Hay that shall grow upon the said Two Commons, or any Part thereof, till after the End and Expiration of Twelve Years next after the executing the said Award or Instrument by the said Commissioners; any Act or Acts of Parliament, or other Authority whatsoever, to the contrary thereof in any-wise notwithstanding.

Commissioners to  
give 15 Days No-  
tice of their First  
Meeting, at the  
Parish-Church at  
Hexham, and in  
the Newcastle  
News-papers.

**And be it further Enacted,** by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall, and they are hereby obliged to give Notice, in the Parish-Church of *Hexham* aforesaid, upon some *Sunday* Morning, immediately after Divine Service, and also in the *Newcastle News-papers*, of the Time and Place of the First Meeting of the said Commissioners, for the Execution of the Powers hereby vested in them, at least Fifteen Days before such Meeting; and shall and may, at such and every other Meeting, appoint such Times and Places for their subsequent Meetings as to them shall seem meet; always giving Notice of such subsequent Meeting at the Parish-Church aforesaid, on the *Sunday* next preceding the same.

And

**And be it further Enacted**, by the Authority aforesaid, That if any of the said Commissioners hereby nominated and appointed, or any of the Commissioners hereafter to be elected and chosen in manner hereafter mentioned, shall die, or refuse to act, That then, and so often, it shall and may be lawful to and for the major Part of the then surviving and acting Commissioners, by Instrument under their Hands and Seals, to elect or choose One or more Person or Persons residing in the said County of Northumberland, not interested in the said Two Commons, or either of them, in the place or room of such Commissioner or Commissioners so dying, or refusing to act; which said Commissioners, so to be from time to time elected and chosen, shall have, and are hereby enacted to have, the same Power and Authority to put this Act of Parliament in Execution, as if they had been respectively named and appointed herein: Which said Instrument shall likewise, within Forty Days after the Execution thereof, be inrolled with the Clerk of the Peace for the said County of Northumberland, and the Original thereof shall be lodged in the Manor-Court aforesaid; and a true Copy thereof shall be made and given in manner aforesaid, and shall be allowed and admitted as Evidence in all Courts of Record, as aforesaid.

**And be it further Enacted**, by the Authority aforesaid, That the Charges and Expences incident to and attending the obtaining and passing this present Act, and of surveying, measuring, allotting, and setting out, the said Two Commons; and of preparing, making, and executing, the said Award or Instrument, and inrolling the same; and of setting out the said Highways and Roads; and all other Charges and Expences attending the Execution of this present Act, shall be born and defrayed by the said Sir Walter Blackett, and the several other Persons to and amongst whom the said Two Commons shall respectively be allotted, in proportion to the real Value of their respective Allotments, to be settled and ascertained by the said Commissioners, or any Five or more of them; and to be paid to such Person and Persons, and at such time and times, as the said Commissioners, or any Five or more of them, shall for that Purpose nominate, direct, or appoint: And in case any of the said Persons shall refuse or neglect to pay his, her, or their Share or Proportion of the said Charges and Expences, within the time so to be limited and appointed, as aforesaid, then the said Commissioners, or any Five or more of them, shall and may, by Warrant under their Hands and Seals, cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so respectively refusing or neglecting; and the Overplus of the Money to arise by such Sale, after Payment of such Proportions of the said Charges and Expences, and the Costs of such Distress and Sale are deducted, shall be paid to the Owner or Owners of such Goods and Chattels, upon Demand.

**And be it further Enacted**, by the Authority aforesaid, That the said Two Pieces or Parcels of Common, called Kingshaw-Green and Lambsteel-Lane, shall, from and after the First Day of June One thousand Seven hundred and Fifty-three, be settled upon, and vested in, and the same are hereby Kingshaw-Green  
and Lambsteel-  
Lane, vested in  
the Commis-  
sioners, to be sold to  
pay a Debt.

from thenceforth settled upon, and vested in, the said *Edward Collingwood* and *George Shaftoe Delaval*, two of the said Commissioners herein before named, and their Heirs, upon the Trusts, and for the Purposes, herein after-mentioned; that is to say, Upon Trust, and to the Intent, That they the said *Edward Collingwood* and *George Shaftoe Delaval*, or the Survivor of them, or the Heirs of such Survivor, do and shall, by and with the Consent and Approbation of the rest of the said Commissioners, for the Time being, or any Three or more of them, to be signified, in Writing, under their Hands and Seals, sell, convey, and dispose of, the Fee-simple and Inheritance of the same Two Pieces or Parcels of Common, to the best Purchaser or Purchasers that they can get for the same; and pay, apply, and dispose of, the Money arising by such Sale, in manner, and for the Purposes, herein after-mentioned; that is to say, In the First Place, for and towards satisfying and discharging a Debt, contracted since the First Day of *May* One thousand Seven hundred and Forty, by the Persons intitled to Right of Common in and upon the said Two Commons, or One of them, in and about defending their said Right of Common; and shall and do apply, and dispose of, the Residue of such Purchase-money (if any), for and towards the paying and discharging the Costs, Charges, and Expences, attending the obtaining and passing this present Act, and carrying the same into Execution.

Purchasers to hold Lands free of Common-Rights.

**And it is hereby further Enacted**, by the Authority aforesaid, That such Purchaser or Purchasers, his, her, and their Heirs and Assigns, respectively, shall and may hold and enjoy the said Lands, so to be sold and conveyed as aforesaid, and every Part thereof, free from all Right of Common in and upon the same; but subject nevertheless to the same Rents and Services, and under the same Restrictions and Provisoes, as the several Shares and Allotments of the said Two Commons are subject and liable to, by virtue of this Act, or otherwise; except in respect of the Charges and Expences incident to the obtaining this Act, and carrying the same into Execution, as aforesaid.

Tyne-Green and the Miln-Islands excepted out of this Division, and to be used as it hath hitherto been.

**Provided always**, That nothing in this Act contained shall extend to, or be construed to affect, the said Pieces or Parcels of Ground called the *Tyne-Green* and the *Miln-Islands*, or either of them; but the same shall be held, used, and enjoyed, in such and the same Manner, Plight, and Condition, in all respects, and to all Intents and Purposes, as the same were before the passing this Act, or should or might have been respectively, in case this Act had not been made.

The Owners of the several Allotments to have Power to work Stone under the same.

**Provided always, and it is hereby Enacted**, by the Authority aforesaid, That it shall and may be lawful to and for the Owners and Proprietors of the several Lands to be allotted to them respectively, for the Time being, to win, get, and work, Stones, and Clay for Bricks, in and upon the same Lands and Grounds, so allotted to them respectively.

And

And whereas Disputes or Differences may arise between different Persons claiming one and the same Right of Common upon the said Two Commons, or either of them, whereby the said Division may be obstructed or delayed:

for Remedy thereof, be it Enacted, That where any such Disputes or Differences shall arise, it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to name Three indifferent Persons Arbitrators, One of whom at least to be a Barrister at Law, to hear and determine the same; and the Award of them, or any Two of them, to be made in Writing, under their Hands and Seals, within Six Months after such Reference to them, shall be final and conclusive to all Parties concerned.

Saving always to the KING's most Excellent MAJESTY, his Heirs, saving to the King, &c. and Successors, and to all and every other Person or Persons, Bodies Politick and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators (Other than the Lord of the Manor of *Hexham*, and the Owner of the Improper Tythes of the said Parish, for the Time being, and all other Person and Persons intitled to any Right of Common in and upon the said Two Commons, or either of them, so directed to be inclosed as aforesaid, his, her, and their Heirs, Successors, Executors, and Administrators, respectively), All such Right, Title, and Interest, as they, every or any of them, had and enjoyed, of, in, to, or out of, the said Two Commons, or either of them, so directed to be inclosed as aforesaid, before the Passing of this present Act, or could or might have had and enjoyed, in case this Act had not been made.

267. *Popular Dislike of the Slave was the Basis of the Civil War.*

The first of the following is the original of the Puisie, and the second is a copy of it, as it appears in the *Journal of the Royal Asiatic Society*, Vol. II., p. 102.

A C T

FOR

*Dividing and Including certain Com-  
mons, in the Manor of Hexham,  
in the County of Northumberland.*